

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION

ESTATE OF WILLIAM JOEL DIXON et al

PLAINTIFFS

VERSUS

CIVIL ACTION NO. 1:17CV263-LG-RHW

GEORGE COUNTY et al

DEFENDANTS

ORDER DENYING MOTION TO EXPEDITE DISCOVERY

Before the Court is Defendant Carmon Sue Brannan's motion to expedite discovery. Doc. [12]. Brannan is being sued for actions that allegedly resulted in the death of William Joel Dixon. In her motion, Brannan argues that expedited discovery is necessary in the federal civil action because she faces an imminent criminal trial in George County Circuit Court related to Dixon's death. At the time she filed the motion, Defendants George County and City of Lucedale had not yet filed answers to Plaintiffs' complaint. All Defendants have now answered. The matter is set for a case management conference December 19, 2017. The Court finds that Brannan's motion for expedited discovery should be denied. Brannan's collateral criminal proceeding in state court is not sufficient justification to permit federal civil discovery prior to the case management conference and entry of a case management order. *See Fed. R. Civ. P.* 26(d)(1). Brannan fails to demonstrate a particularized need for any specific discovery that might be in Plaintiffs' possession.

IT IS THEREFORE ORDERED AND ADJUDGED that the [12] Motion to Expedite Discovery is DENIED.

SO ORDERED AND ADJUDGED, this the 12th day of December, 2017.

/s/ *Robert H. Walker*

ROBERT H. WALKER
UNITED STATES MAGISTRATE JUDGE